

THE EFFECTIVE DATE OF THIS ORDINANCE IS APRIL 21, 2009

ORDINANCE NO. 09-08-512

Re: Amendment of the Lobbying Ordinance's reporting requirements concerning the disclosure of compensation earned by regulated lobbyists

The Board of County Commissioners enacted the Lobbying Ordinance by Ordinance Number 07-05-445. That Ordinance was adopted on February 20, 2007, and became effective on July 1, 2007.

The Board of County Commissioners received a recommendation from the Frederick County Ethics Commission recommending that the Board amend the reporting requirements contained in Section 1-7.2-5(B) of the Lobbying Ordinance. The Ordinance currently requires regulated lobbyists to report the total compensation "paid to" that lobbyist. The Ethics Commission expressed concern that this requirement did not include compensation that had been earned during the reporting period but not yet received by the lobbyist. For this reason, the Ethics Commission recommended amendment of the Ordinance to require disclosure in the activity report of all compensation earned by the lobbyist for the performance of lobbying activities, even if that compensation had not been received by the time that the activity report is filed. The Board of County Commissioners agreed with the Ethics Commission's recommendation.

The Board of County Commissioners held a duly advertised public hearing concerning this Ordinance on April 21, 2009. The public had an opportunity to comment on this Ordinance at the public hearing.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND, that Section 1-7.2-5 of the Frederick County Code is hereby amended to read as follows:

§ 1-7.2-5. REPORTS.

(A) *Generally.*

(1) A regulated lobbyist shall file with the Ethics Commission, under oath and for each registration, a separate report concerning the regulated lobbyist's lobbying activities by July 31 of each year, to cover the period from July 1 of the previous year through June 30 of the current year.

(2) If the regulated lobbyist is not an individual, an authorized officer or agent of the regulated lobbyist shall sign the report.

(3) If a prorated amount is reported as compensation, it shall be labeled as prorated.

(B) *Required information.* A report required by this section shall include:

(1) A complete, current statement of the information required under § 1-7.2-4(B); and

(2) Total expenditures in connection with influencing official action in each of the following categories:

(a) Total compensation [paid to] earned by the regulated lobbyist;

(b) Publications that expressly encourage communication with 1 or more county officials;

(c) Witnesses, including the name of each and the fee and expenses paid to each;

(d) Food and beverages for county officials;

(e) Food, beverages and incidental expenses for county officials for meals and receptions to which all county officials were invited;

(f) Food, lodging and scheduled entertainment for county officials at meetings at which 1 or more county officials were scheduled speakers or scheduled panel participants;

(g) Tickets and free admission extended to members or members-elect of the BOCC as a courtesy or ceremony to the office to attend charitable, cultural, and political events sponsored or conducted by the reporting entity to which all members or members-elect of the BOCC were invited; and

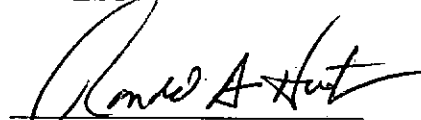
(h) Other gifts to county officials.

(3) As to expenditures reported in subsections (B)(2)(e), (f) and (g) of this section, the date, location, and total expense of the regulated lobbyist for each meal, reception, event, or meeting.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, that this Ordinance shall take effect on April 21, 2009.

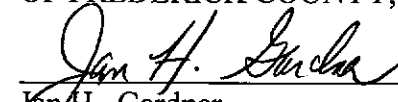
The undersigned hereby certifies that this Ordinance was approved and adopted on the 21st day of April, 2009.

ATTEST:



Ronald A. Hart
County Manager

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND



Jan H. Gardner
President

LB
4-22-09